

# *Union of Soviet Socialist Republics*

## NAVIGATION AND FISHERIES ON NORTHWEST COAST

*Convention signed at St. Petersburg April 17, 1824*

*Ratified by Russia May 10, 1824*

*Senate advice and consent to ratification January 5, 1825*

*Ratified by the President of the United States January 7, 1825*

*Ratifications exchanged at Washington January 11, 1825*

*Entered into force January 11, 1825*

*Proclaimed by the President of the United States January 12, 1825*

*Fourth article expired April 17, 1834*

*Third article made obsolete by convention of March 30, 1867*<sup>1</sup>

8 Stat. 302; Treaty Series 298<sup>2</sup>

### [TRANSLATION]

In the Name of the Most Holy and Indivisible Trinity.

The President of the United States of America and His Majesty the Emperor of all the Russias, wishing to cement the bonds of amity which unite them and to secure between them the invariable maintenance of a perfect concord, by means of the present Convention, have named as their Plenipotentiaries to this effect, to wit: The President of the United States of America, Henry Middleton a Citizen of said States, and their Envoy Extraordinary and Minister Plenipotentiary near His Imperial Majesty: and His Majesty the Emperor of all the Russias, his beloved and faithful Charles Robert Count of Nesselrode, actual Privy Counsellor, member of the Council of State, Secretary of State directing the administration of foreign Affairs, actual Chamberlain, Knight of the order of St. Alexander Nevsky, Grand Cross of the order of St. Wladimir of the first Class, Knight of that of the white Eagle

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<sup>1</sup> TS 301, *post*, p. 1216.

<sup>2</sup> For a detailed study of this convention, see 3 Miller 151.

of Poland, Grand Cross of the order of St. Stephen of Hungary, Knight of the orders of the Holy Ghost and of St. Michael, and Grand Cross of the Legion of Honour of France, Knight Grand Cross of the orders of the Black and of the Red Eagle of Prussia, of the Annunciation of Sardinia, of Charles III of Spain, of St. Ferdinand and of Merit of Naples, of the Elephant of Denmark, of the Polar Star of Sweden, of the Crown of Wirtemberg, of the Guelphs of Hanover, of the Belgic Lion, of Fidelity of Baden, and of St. Constantine of Parma, and Pierre de Poletica, actual Counsellor of State, Knight of the order of St. Anne of the first Class, and Grand Cross of the order of St. Wladimir of the second; who, after having exchanged their full powers, found in good and due form, have agreed upon and signed the following stipulations.

#### ARTICLE FIRST

It is agreed that in any part of the Great Ocean, commonly called the Pacific Ocean, or South-Sea, the respective Citizens or Subjects of the high contracting Powers shall be neither disturbed nor restrained either in navigation, or in fishing, or in the power of resorting to the coasts upon points which may not already have been occupied, for the purpose of trading with the Natives, saving always the restrictions and conditions determined by the following articles.

#### ARTICLE SECOND

With a view of preventing the rights of navigation and of fishing, exercised upon the Great Ocean by the Citizens and Subjects of the high contracting Powers from becoming the pretext for an illicit trade, it is agreed, that the Citizens of the United States shall not resort to any point where there is a Russian establishment, without the permission of the Governor or Commander; and that, reciprocally, the Subjects of Russia shall not resort, without permission, to any establishment of the United States upon the North West Coast.

#### ARTICLE THIRD <sup>3</sup>

It is moreover agreed, that hereafter there shall not be formed by the Citizens of the United-States, or under the authority of the said States, any establishment upon the North West Coast of America, nor in any of the Islands adjacent, *to the north* of fifty four degrees and forty minutes of north latitude; and that in the same manner there shall be none formed by Russian Subjects or under the authority of Russia *south* of the same parallel.

#### ARTICLE FOURTH <sup>4</sup>

It is nevertheless understood that during a term of ten years, counting from the signature of the present Convention, the ships of both Powers, or which

<sup>3</sup> Made obsolete by convention of Mar. 30, 1867 (TS 301, *post*, p. 1216).

<sup>4</sup> Expired Apr. 17, 1834.

belong to their Citizens or Subjects respectively, may reciprocally frequent without any hindrance whatever, the interior seas, gulfs, harbours and creeks upon the Coast mentioned in the preceding Article, for the purpose of fishing and trading with the natives of the country.

#### ARTICLE FIFTH

All spirituous liquors, fire-arms, other arms, powder and munitions of war of every kind, are always excepted from this same commerce permitted by the preceding Article, and the two Powers engage, reciprocally, neither to sell, nor suffer them to be sold to the Natives by their respective Citizens and Subjects, nor by any person who may be under their authority. It is likewise stipulated that this restriction shall never afford a pretext, nor be advanced, in any case, to authorize either search or detention of the vessels, seizure of the merchandize, or, in fine, any measures of constraint whatever towards the merchants or the crews who may carry on this commerce: the high contracting Powers reciprocally reserving to themselves to determine upon the penalties to be incurred, and to inflict the punishment, in case of the contravention of this Article by their respective Citizens or Subjects.

#### ARTICLE SIXTH

When this Convention shall have been duly ratified by the President of the United-States, with the advice and consent of the Senate on the one part, and on the other by His Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington in the space of ten months from the date below, or sooner if possible. In faith whereof the respective Plenipotentiaries have signed this Convention, and thereto affixed the Seals of their Arms.

Done at St. Petersburg the  $\frac{17}{5}$  April, of the year of Grace one thousand eight hundred and twenty four.

HENRY MIDDLETON	[SEAL]
LE COMTE CHARLES DE NESSELRODE	[SEAL]
PIERRE DE POLETICA	[SEAL]